

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

06/27/2005

Worrel & Worrel
St. Croix Professional Center
Suite 121
2109 W. Bullard Avenue
Fresno, CA 93711-1258

09/06/2005 SSITHIB2 00000029 10699307

01 FC:2503 550.00 DP
02 FC:1504 300.00 DP



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Rodney K. Worrel

(Depositor's name)

(Signature)

August 30, 2005

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,307	10/30/2003	Gregory R. Smith	W-3948	2083

TITLE OF INVENTION: POMEGRANATE TREE DENOMINATED 'SMITH'

03 FC:8003 150.00 DP

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$550	\$300	\$850	09/27/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
HWU, JUNE	1661	PLT-210000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Worrel & Worrel

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date August 30, 2005

Typed or printed name Rodney K. Worrel

Registration No. 27,475

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Attorney's Docket No. W-3948**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gregory R. Smith

Serial No.: 0 10/699,307

Group No.: 1661

Filed: 10/30/03

Examiner: June Hwu

For: Pomegranate Tree Denominated 'Smith'

Batch No.

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Box Issue Fees**TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 CFR 1.311)**

1. Applicant hereby pays the issue fee for the attached Issue Fee Transmittal PTOL-85.

2. Fee (37 CFR 1.18(a) and (b)):

Application status is:

☒ small business entity—feeRegular☐ \$585.00Design☐ \$205.00Plant\$550.00
issue fee
\$300.00
publication fee☐ verified statement attached☒ verified statement filed on 10/30/03☐ other than a small entity—fee☐ \$1,170.00☐ \$410.00

3. Payment of fee:

☒ Enclosed please find check for \$ 1,000.00 (\$550 issue fee; \$300 publication fee and 10 color copies at \$150)☒ Charge Account 23-3185 for any fee deficiency.☐ Charge Account _____ the sum of \$ _____ A duplicate of this request is attached.

NOTE: The PTO has established a special box designator for issue fees, the orders for advance copies and the fees associated with these services. To take advantage of this new service, the envelope should be addressed to: Box Issue Fees, Commissioner of Patents and Trademarks, Washington, D.C.-20231. Notice of March 7, 1988, 1088 O.G. 102.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING**FACSIMILE**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450 Alexandria, VA 22313-1450
Date: 8/30/05

☐ transmitted by facsimile to the Patent and Trademark Office

Signature

RODNEY K. WORREL
(type or print name of person certifying)

Reg. No.: 27,475

Tel. No.: (559) 431-4391


SIGNATURE OF ATTORNEY

Rodney K. Worrel

type or print name of attorney

St. Croix Professional Center
2109 W. Bullard Ave., Ste 121

P.O. Address

Fresno, California 93711-1258